HONOURABLE SMT.JUSTICE T.MEENA KUMARI

&

HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NOs:1575 of 2005

Between

The Depot Manager, APSRTC, Hindupur.

..Appellant

and

The Chairman Industrial Tribunal cum Presiding Officer, Labour Court, Anantapur and another.

..Respondents

HONOURABLE SMT.JUSTICE T.MEENA KUMARI

&

HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NOs:1419 of 2005

Between

The Depot Manager, APSRTC, Hindupur.

..Appellant

and

The Chairman Industrial Tribunal cum Presiding Officer, Labour Court, Anantapur and another.

..Respondents

HONOURABLE SMT.JUSTICE T.MEENA KUMARI

&

HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NOs:1458 of 2005

Between

The Depot Manager, APSRTC, Hindupur.

..Appellant

and

The Chairman Industrial Tribunal cum Presiding Officer, Labour Court, Anantapur and another.

..Respodnents

HONOURABLE SMT.JUSTICE T.MEENA KUMARI

&

HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NOs:1157 of 2005

Between

The Depot Manager, APSRTC, Hindupur

..Appellant

and

1.The Chairman Industrial Tribunal cum Presiding Officer, Labour Court, Ananthapur and another.

..Respondents

HONOURABLE SMT.JUSTICE T.MEENA KUMARI

&

HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NOs:1157 of 2005, 1418 OF 2005, 1419 of 2005, 1422 of 2005, 1423 of 2005 & W.A. (S.R.) Nos:61359 of 2005, 61361 of 2005, 61363 of 2005 and 613654 of 2005

-

COMMON JUDGMENT (Per the Honourable Smt. Justice T.Meena Kumari.)

These writ appeals are filed by the appellant-A.P.S. R.T.C. aggrieved by the common order of the learned single Judge in W.P.No:24778 of 2004 and batch, dated 21.3.2005, under which the learned single Judge dismissed the batch of writ petitions with the observations as indicated therein

Since the parties are one and the same and the issue involved is also one and the same and since all these appeals arise out a common order in a batch of writ petitions, they are being disposed of by a common judgment.

The appellant is the writ petitioner and the 2nd respondent in each writ petition, is the workman. Aggrieved by the orders of termination of the services of the workmen, they have raised an industrial dispute in I.D.No:106 of 2002 and batch before the Industrial Tribunal, Ananthapur. The Tribunal having considered the contentions on either side, allowed the batch of I.Ds. filed by the workmen directing the appellant to appoint the workmen as drivers afresh. It is also made clear that the appellant shall take into consideration the circular issued by the Regional Manager, A.P.S. R.T.C. Tirupati No:P4/684(7)/2000RM(A), dated 31.8.2000 for the purpose of calculating the period of three years valid driving licence. Having aggrieved by the same, the appellant filed the batch of writ petitions seeking to call for the record pertaining to the award dated 19.6.2004 in I.D.No:106 of 2002 and batch and to set aside the same. The learned single Judge having observed that having regard to the nature of direction as given in the award which is purely discretionary one and that too on the facts and circumstances arisen, no valid ground has been made out on behalf of the appellant, dismissed the batch of writ petitions. Having aggrieved by the same, the present writ appeals have been preferred by the appellant.

Heard the learned counsel.

We have perused the material available on record and the order impugned.

During the course of the enquiry before the tribunal, no evidence has been adduced on either side and consequently, the tribunal on the basis of the respective contentions, having elaborately dealt with the aspects in proper perspective way, directed the reinstatement of the workmen subject to the observations made thereunder. It is an admitted fact that all the workmen have been appointed as drivers and they have worked for about one and half year. But, they have been terminated on the ground that they have produced fake driving licences. In this regard, the reasoning assigned by the tribunal and the observations made by it while directing the appointment of the workmen as drivers afresh, are just and reasonable. In this regard, the learned single Judge is justified in observing that in fact, the workman possessed genuine licences even on the date of appointment and the mistake, if any, cannot be thrown against them for denial of service especially when they have put in unblemished record of service all along.

In the facts and circumstances of the case, We have no hesitation to hold that

there are no merits to entertain these appeals and as such, they are liable to be dismissed.

Accordingly, all these writ appeals are dismissed.

_____

(T.MEENAKUMARI, J)

10th August, 2005

_____

(P.LAKSHMANA REDDY, J)

Gurc/RKK.

HONOURABLE SMT. JUSTICE T.MEENAKUMARI

&

HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NOs:1157 of 2005, 1418 OF 2005, 1419 of 2005, 1422 of 2005, 1423 of 2005 & W.A. (S.R.) Nos:61359 of 2005, 61361 of 2005,61363 of 2005 and 613654 of 2005

(judgment delivered by Smt.Justice T.MeenaKumari)

10th August, 2005